

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**PLAINSCAPITAL BANK**

**Plaintiff,**

**v.**

**HILLARY MACHINERY, INC.**

**Defendant.**

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**Case No. 4:09-CV-00653**

**ORDER GRANTING PLAINTIFF PLAINSCAPITAL  
BANK'S MOTION TO STRIKE JURY DEMAND**

On this date the Court considered Plaintiff PlainsCapital Bank's Motion to Strike Jury Trial Demand Or, In the Alternative, Motion to Compel Arbitration (the "Motion"). The Court, having considered the Motion to Strike Jury Demand, finds that the Motion is well taken and should be granted. It is therefore,

**ORDERED** that PlainsCapital Bank's Motion to Strike Jury Demand is hereby **GRANTED**. It is further

**ORDERED** that the jury demand submitted by Defendant and Counterplaintiff Hillary Machinery, Inc. is hereby struck. It is further

**ORDERED** that this case is set for trial on the Court's nonjury docket and shall be tried by the Court.

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